

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, ) ) No. 3:05-CR-97  
 V. ) ) (JARVIS/GUYTON)  
 )  
 HEATHER NATASHA WHITT, ) )  
 )  
 Defendant. ) )

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This matter is before the Court on the defendant's Motion for Permission to File Non-Electronic Documents [Doc. 10] and Motion for Substitution of Counsel [Doc. 11], filed on September 7 and 9, 2005, respectively. In the second motion, the defendant asks to substitute retained Attorney Kevin C. Angel for Assistant Federal Community Defender Jonathan Moffatt, whom the Court appointed on August 22, 2005. Per a telephone conference with chambers, Mr. Angel confirmed his representation of the defendant and that he could abide by the schedule [see Doc. 6] already established in this case.<sup>1</sup> Accordingly, the Court **GRANTS** the defendant's Motion for Substitution of Counsel [**Doc. 11**] and **SUBSTITUTES** Attorney Kevin Angel as the defendant's counsel of record. Attorney Moffatt is hereby **RELIEVED** of his appointment as defendant's counsel and is asked to forward all

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<sup>1</sup>Mr. Angel informed the Court that if he were unable to file motions by the September 19, 2005 motion deadline, he would file a motion to extend that deadline.

discovery to Mr. Angel.

With regard to the defendant's motion to file documents non-electronically, defense counsel maintains that his computer system is not able to support the filing of electronic documents. He plans to replace this computer system with one that will support electronic filing within six months. He asks that he be allowed to file documents non-electronically until that time. Because the defendant has shown good cause and because the requested relief is temporary, the defendant's Motion for Permission to File Non-Electronic Documents [**Doc. 11**] is **GRANTED**. Defense counsel may file all documents in paper form in this case and is directed to comply with Rule 49, Fed. R. Crim. P., in serving all filings upon opposing counsel. Defense counsel is to file all documents electronically as soon as is feasible.

**IT IS SO ORDERED.**

**ENTER:**

s/ H. Bruce Guyton  
United States Magistrate Judge